

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION
AT ASHLAND

CIVIL ACTION NO. 23-112-DLB

JEFFERY SCOTT JONES

PETITIONER

v.

MEMORANDUM OPINION AND ORDER

DAVID LEMASTERS, WARDEN

RESPONDENT

*** **

Federal inmate Jeffery Jones has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. # 1). Jones indicates that prior to his incarceration he suffered a severe injury to his spine, but that prison officials have been deliberately indifferent to his medical needs by refusing to provide him with an adequate mattress and appropriate pain treatment. Jones seeks an order to compel proper medical treatment and transfer to a prison that can provide more extensive medical care. See (Doc. # 1-1). The Court screens the petition pursuant to 28 U.S.C. § 2243. *Pillow v. Burton*, 852 F. App'x 986, 989 (6th Cir. 2021).

The Court must deny the petition because Jones's claims do not affect either the validity of his conviction or the duration of his sentence, but instead affect only the conditions of his confinement. They therefore may not be asserted in a habeas corpus proceeding. *Muhammed v. Close*, 540 U.S. 749, 750 (2004) ("Challenges to the validity of any confinement or to particulars affecting its duration are the province of habeas corpus; requests for relief turning on circumstances of confinement may be presented in a § 1983 action."); *Sullivan v. United States*, 90 F. App'x 862, 863 (6th Cir. 2004) ("§ 2241

is a vehicle not for challenging prison conditions, but for challenging matters concerning the execution of a sentence such as the computation of good-time credits.”). The Court will therefore deny the petition without prejudice to Jones’s right to assert his claims in a civil rights proceeding. *Martin v. Overton*, 391 F.3d 710, 714 (6th Cir. 2004).

Accordingly, it is **ORDERED** as follows:

- (1) Jeffery Scott Jones’s petition (Doc. # 1) is **DENIED**.
- (2) This action is **STRICKEN** from the Court’s docket.

This 29th day of November, 2023.



Signed By:

David L. Bunning *DB*

United States District Judge